



## QUICK REFERENCE GUIDE NYS TRANSPORTATION LAW SECTIONS

140 COMMERCIAL MOTOR VEHICLE SAFETY  
(NON-HAZARDOUS)

14F COMMERCIAL MOTOR VEHICLE SAFETY  
(HAZARDOUS MATERIALS)

211/212 LOGBOOK (HOURS OF SERVICE)

### Enclosed Documents (In Order):

1. INFORMATION REGARDING STATEMENT OF CORRECTION FOR EQUIPMENT DEFECTS
2. NEW YORK STATE TRANSPORTATION LAW(SECTION 14-f) HAZARDOUS MATERIALS
3. NEW YORK STATE TRANSPORTATION LAW(SECTION 140) COMMERCIAL VEHICLE SAFETY
4. FARM PLATED VEHICLES AND HOURS OF SERVICE/LOG BOOK INFORMATION
5. OPERATION OF OUT OF SERVICE VEHICLES FOR BOTH TL 140 AND TL 14f VIOLATIONS

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## **LINKS TO RESOURCES AND LAWS**

### **NEW YORK STATE MAGISTRATES ASSOCIATION**

<https://nysma.net/>

### **NEW YORK STATE ASSOCIATION OF MAGISTRATES COURT CLERKS (NYSAMCC)**

<https://nysamcc.com/>

### **NYS TRANSPORTATION LAW SECTION 140**

<https://www.nysenate.gov/legislation/laws/TRA/140>

### **NEW YORK STATE TRANSPORTATION LAW SECTION 14F**

<https://www.nysenate.gov/legislation/laws/TRA/14-F>

### **NATIONAL JUDICIAL COLLEGE**

Home Page

<https://www.judges.org/>

CDL Resource Page

<http://www.cdlresources.org/>

### **2020 FMCSR 383.51 DISQUALIFICATION BENCHCARD**

[http://www.cdlresources.org/wp-content/uploads/draft1\\_CDlbenchcard2020-2.pdf](http://www.cdlresources.org/wp-content/uploads/draft1_CDlbenchcard2020-2.pdf)

### **NATIONAL CENTER FOR STATE COURTS**

Commercial Driving Resource Center

**§383 Subpart D – Driver Disqualifications and Penalties (Interactive)**

<https://www.ncsc.org/cdrc/more-resources/driver-disqualifications-and-penalties>

**INFORMATION REGARDING STATEMENT OF  
CORRECTION FOR EQUIPMENT DEFECTS  
New York State Transportation Law (Sections 14F or 140)**

If a summons is issued for an equipment defect in violation of **NYSTL section 14F (except for any out-of-service violation) or section 140 (except for a violation involving an out-of-service defect relating to(i) load securement, (ii) brake systems, (iii) steering components and/or (iv) coupling devices or except for (v) a violation involving the operation of any motor vehicle after it has been placed out-of-service)**, such summons **shall be dismissed** by the court before the return date if the violation set forth in the summons is corrected not later than one-half hour after sunset on the first full business day, or if such complaint involves a farm plate vehicle, not later than one-half hour after sunset on the third full business day after the issuance of the summons and proof of such correction as set forth below is submitted to the court. For the purposes of this section "business day" shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Acceptable proof of repair or adjustment shall consist of a submission to the court on or before the return date of the summons of: (i) a statement of correction from an officially designated state inspection station duly executed by the person performing or making such inspection and bearing the official stamp of the state inspection station; (ii) a statement of correction from an automobile repair shop on the letterhead of such repair shop duly executed by the person who made the correction or (iii) a signed statement of any police officer or a department inspector that the necessary corrections have been made. The statement required by this paragraph shall be directed to the court having jurisdiction of the alleged violation, shall be affirmed as true under penalty of perjury, and shall include the name, occupation and position of the person making the statement, the time and date that the repairs or inspection were made and a statement that the defective equipment, cited in the violation, on the vehicle in question, is in proper working order.

**NEW YORK STATE TRANSPORTATION LAW  
(SECTION 14-f) HAZARDOUS MATERIALS**

**IS THE VEHICLE OUT OF SERVICE?**

**YES**

**NON-CORRECTABLE  
VIOLATIONS**

**OUT OF SERVICE (O/O/S)  
Relating to Brakes, Steering and Coupling Devices**

**FIRST CONVICTION**  
(\$500 - \$1500)  
(and/or 60 days imprisonment)

**SECOND CONVICTION**  
(WITHIN 18 MONTHS)  
(\$1500 - \$2500)  
(and/or 90 days imprisonment)  
No Mandatory Surcharge

**OUT OF SERVICE (O/O/S)  
ALL OTHER VIOLATIONS**

**FIRST CONVICTION**  
(\$350-\$1000)

**SECOND CONVICTION**  
(within 18 months)  
(\$1000- 2500  
and/or 90 days imprisonment)

No Mandatory Surcharge

**PAPERWORK AND DRIVER VIOLATIONS**

**FIRST CONVICTION**  
(\$350-\$1000)

**SECOND CONVICTION**  
(within 18 months)  
(\$1000- \$2500  
and/or 90 days imprisonment)

No Mandatory Surcharge

**NO**

**ALL OTHER  
VIOLATIONS NOT OUT  
OF SERVICE**

**THESE VIOLATIONS  
ARE CORRECTABLE  
AND SHALL BE  
DISMISSED PER  
STATUTE IF  
CORRECTED ON TIME**

**IF NOT TIMELY  
REPAIRED THE FINES  
ARE:**

**FIRST CONVICTION**  
(\$350-\$1000)

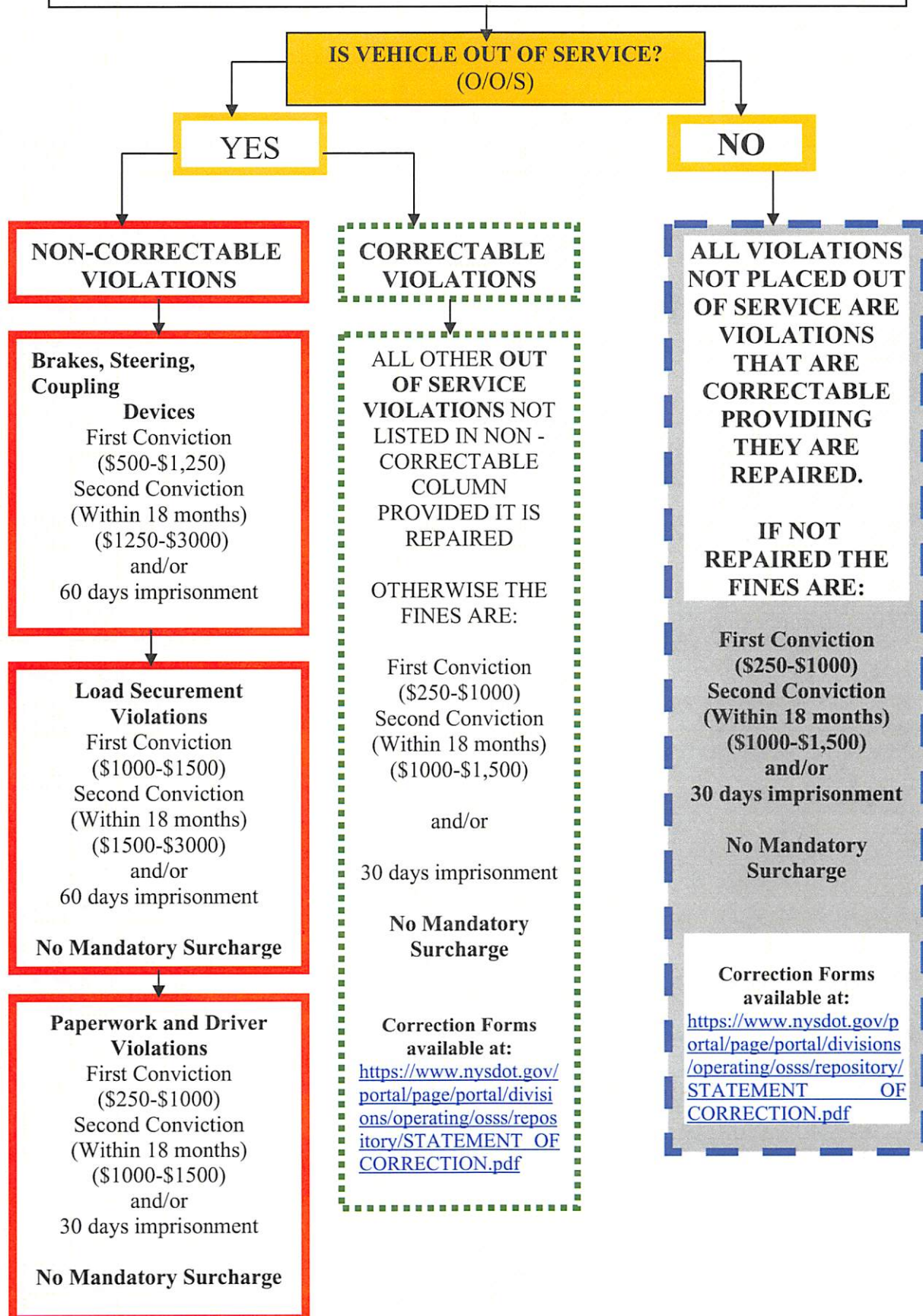
**SECOND CONVICTION**  
(within 18 months)  
(\$1000- \$2500  
and/or 90 days  
imprisonment)

**No Mandatory Surcharge**

Correction Forms available at:  
[https://www.nysdot.gov/portal/page/portal/divisions/operating/os/ss/repository/STATEMENT\\_OF\\_CORRECTION.pdf](https://www.nysdot.gov/portal/page/portal/divisions/operating/os/ss/repository/STATEMENT_OF_CORRECTION.pdf)



**NEW YORK STATE TRANSPORTATION LAW  
(SECTION 140) COMMERCIAL VEHICLE SAFETY**



**TRANSPORTATION LAW  
(SECTION 140)**

**FARM PLATED VEHICLES ONLY**

**SAME FINES APPLY AS NON-FARM PLATED VEHICLES**

**UNLESS**

**THE O/O/S VIOLATION IS CORRECTED WITHIN THREE  
BUSINESS DAYS**

[https://www.nysdot.gov/portal/page/portal/divisions/operating/osss/repository/STATEMENT OF  
CORRECTION.pdf](https://www.nysdot.gov/portal/page/portal/divisions/operating/osss/repository/STATEMENT_OF_CORRECTION.pdf)

**THEN FINES ARE**

**CORRECTED O/O/S BRAKE VIOLATIONS = \$250**

**CORRECTED O/O/S STEERING AND COUPLING VIOLATIONS = \$200**

**CORRECTED O/O/S LOAD SECUREMENT VIOLATIONS = \$500**

**CORRECTED O/O/S FOR ALL OTHER VIOLATIONS = \$100**

<https://www.nysdot.gov/portal/page/portal/divisions/operating/osss/truck/regulations>

**TRANSPORTATION LAW  
(SECTION 211/212)**

**LOG BOOKS (HOURS OF SERVICE)**

**ANY CONVICTION**

**\$200 FINE (MISDEMEANOR)**

**(MANDATORY SURCHARGE)  
(\$175 + \$CVAF-\$25 +\$5 T/V =\$205.00)**

**PLEA BY MAIL PERMISSIBLE FOR ALL TRANSPORTATION LAW  
VIOLATIONS AS PROVIDED IN VTL SECTION 1805**



# **OPERATION OF OUT OF SERVICE VEHICLES**

## **TRANSPORTATION LAW 140**

### **OPERATION OF OUT OF SERVICE VEHICLE**

**FIRST CONVICTION  
(\$3000-\$5000)**

**SECOND CONVICTION WITHIN 18 MONTHS  
(\$6000-\$7000)**

Refer to **VTL Section 510 a** for Suspension/Revocation Sanctions Link below  
<http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>

## **TRANSPORTATION LAW 14 f**

### **OPERATION OF OUT OF SERVICE VEHICLE**

**FIRST CONVICTION**

**MISDEMEANOR**

**(\$2500-\$5000)  
and/or  
Imprisonment  
(up to one year)**

**SECOND CONVICTION WITHIN 18 MONTHS**

**E FELONY**

**NOT LESS THAN \$3500 FINE  
and/or  
Imprisonment provided in the Penal Law**

Refer to **VTL Section 510 a** for Suspension/Revocation Sanctions Link below  
<http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>